

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

In re: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

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) MDL NO. 1456
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THIS DOCUMENT RELATES TO:

) Civil Action No. 01-12257-PBS
)

Rice v. Abbott Laboratories, et al., N.D. Cal.,
Case No. C 02-3925 MJJ

) Judge Patti B. Saris
)
)

Thompson v. Abbott Laboratories, et al., N.D.
Cal. Case No. C 02-4450 MJJ

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**DEFENDANTS' MOTION TO COMPEL PLAINTIFFS TO RESPOND
TO JURISDICTIONAL DISCOVERY REQUESTS**

Pursuant to Fed. R. Civ. P. 37, defendants AstraZeneca Pharmaceuticals LP, Bristol-Myers Squibb Co., SmithKline Beecham Corp. d/b/a GlaxoSmithKline, and Pharmacia Corp. ("Defendants") respectfully move this Court for an order compelling plaintiffs John Rice and Constance Thompson to respond to defendants' First Request for Jurisdictional Discovery.

In support of this Motion, defendants submit the attached Memorandum of Law in Support of Defendants' Motion to Compel Plaintiffs' to Respond to Jurisdictional Discovery Requests, the Declaration of Mark H. Lynch, and the exhibits attached to the Declaration of Mark H. Lynch.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)

Counsel for the undersigned defendants certify that they have conferred with counsel for plaintiffs in the above-captioned action, who declined to consent to this motion. *See* Lynch Decl. ¶ 4.

DATED: September 12, 2003

ON BEHALF OF DEFENDANTS
ASTRAZENECA PHARMACEUTICALS LP,
BRISTOL-MYERS SQUIBB CO., SMITHKLINE
BEECHAM CORP. d/b/a GLAXOSMITHKLINE,
AND PHARMACIA CORP.:

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*Counsel for SmithKline Beecham Corp. d/b/a
GlaxoSmithKline*

Certificate of Service

I hereby certify that on September 12, 2003, I caused a true and correct copy of this Motion, the Memorandum of Law in Support of Defendants' Motion to Compel Plaintiffs to Respond to Jurisdictional Discovery Requests, the Declaration of Mark H. Lynch, and the exhibits attached to the Declaration of Mark H. Lynch, to be served on all counsel by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.



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